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MAY 05 2005

In re Application of  
Ellul et al.  
Application No. 08/780,507  
Filed: January 8, 1997  
Attorney Docket No. 9427C

**OFFICE OF PETITIONS**

**DECISION ON PETITION**

This is a decision on the petition under 37 CFR 1.137(b), filed February 15, 2005, to revive the above-identified application.

This above-identified application became abandoned for failure to timely file a proper reply to a non-final Office Action mailed October 14, 2003. The non-final Office Action set a three (3) month shortened statutory period for reply. A reply was received on February 6, 2004. A Notice of Non-Compliant Amendment 37 CFR 1.121 was mailed on March 4, 2004 setting a one month extendable time period for reply. A reply to the Notice of Non-Compliance was submitted on September 15, 2004 (certificate of mailing March 16, 2004). A Failure to Acceptably Respond to a Notice of Non Compliant Amendment 37 CFR 1.121 was mailed on December 9, 2004. Accordingly, this application became abandoned on September 5, 2004. A Notice of Abandonment was mailed December 14, 2004.

This petition is hereby **GRANTED**.

Deposit account 01-0275 will be charged the petition to revive fee in the amount of \$1500.00.

The Office hereby acknowledges the receipt of the amendment submitted with the instant petition.

This application is being forwarded to Technology Center 1700 for further processing.

Telephone inquiries concerning this matter should be directed to the undersigned at  
(571)272-3215.



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Petitions Attorney  
Office of Petitions